

# SoCal IP

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## Law Group LLP

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February 23, 2015

Honorable Richard J. Sullivan  
United States District Judge  
Thurgood Marshall United States Courthouse  
40 Foley Square  
New York, NY 10007

**By Email and CM/ECF**

Re: Penshurst Trading Inc. d/b/a Juliska v. Zodax L.P.  
No. 1:14-cv-02710-RJS

Subject: Request for Clarification to Order re Attorney Fees Motion (Dkt. 74–Feb. 23, 2015)

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Dear Judge Sullivan:

Defendant Zodax L.P. (“Zodax”) seeks clarification to the Court’s order scheduling a conference on March 5, 2015, regarding Zodax’s request to file a motion for attorney fees.

Federal Rule of Civil Procedure Rule 54(d)(2)(B) requires that a motion for attorney fees must “be filed no later than 14 days after the entry of judgment.” The case was dismissed with prejudice on February 11, 2015. Under the above rule, Zodax’s motion for attorney fees normally would be due February 25, 2015.

Since Zodax sent the Court a request for filing a motion within that 14-day window, and the Court scheduled a pre-motion conference for March 5, 2015, Zodax assumes that the time to file a motion for fees is tolled until following the pre-motion conference.

Zodax seeks clarification that its motion for attorney fees still will be timely if it is filed after the pre-motion conference.

Sincerely,

SoCal IP Law Group LLP

*/M. Kala Sarvaiya/*

M. Kala Sarvaiya

cc: All Counsel of Record (via ECF)